



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Direct City Staff to prepare a draft amendment to the Lodi Municipal Code that will add a Freeway Commercial Overlay Zone classification

MEETING DATE: September 5, 2007

PREPARED BY: Community Development Department

RECOMMENDED ACTION: Direct City staff to prepare a draft amendment to the Lodi Municipal Code that will add a Freeway Commercial Overlay Zone Classification.

BACKGROUND INFORMATION:

Purpose

Staff is concerned with the vitality of the Cherokee Lane corridor and enhancing its economic strength and aesthetic appeal. Staff is also concerned with institutional barriers to the development of more lodging opportunities within Lodi. Taken together, staff believes that the Cherokee Lane corridor represents an opportunity to encourage hotel/motel development and other higher intensity uses. The height limit of the C-2 General-Commercial Zone, the zone which the Cherokee Lane corridor is designated, is 2 stories. Hotel/Motel development is often higher than 2 stories, up to 4 stories in height. A mechanism should be developed to allow the City to respond to these market driven needs for an increased height limit while also using this as an opportunity to improve the Cherokee Lane corridor.

The Freeway Commercial Overlay Zone (FC-0) is intended to provide additional flexibility in the development of commercial properties adjacent to Highway 99. The FC-0 would allow properties that meet specific parcel and land use criteria to apply for approval of a development plan that includes building features that vary from the normal development standards of the underlying General-Commercial (C-2) zone. Each project would be reviewed on a case by case basis and must contain unique features that would preclude the project from being developed using standard C-2 development criteria, particularly a building design that exceeds the current C-2 height limit of 2-stories or 35 feet.

Location

At present, the FC-0 is proposed to be limited to an area adjacent to Highway 99. Specifically, the FC-0 would include the Cherokee Lane corridor generally extending from Turner Road on the north to Century Boulevard on the south (see project area map). The area included is primarily zoned C-2, general commercial, although a small portion of the area is zone M-1, light industrial and R-C-P, Residential-Commercial-Professional. The area included in the Overlay has been identified as having the highest potential for hotel and other types of higher intensity development given its exposure and accessibility to the freeway.

APPROVED: 
Blair King, City Manager

Criteria

For a project to qualify for consideration under the FC-0, the project will have to meet the following criteria:

1. The Underlying land use designation must be zoned General Commercial (C-2).
2. The proposed project must be a commercial project and must be a land use permitted by the underlying General Commercial (C-2) Zone.
3. The property must first have a General Plan designation of General Commercial and be rezoned to C-2 before it can participate in the FC-0 process. This may require the rezoning of multiple parcels to avoid creating a spot zone.
4. The project must be on a parcel(s) of land that can total one acre in size or larger.
5. The project can exceed the C-2 floor area ratio (F.A.R.) of **0.4**, typically allowing 2 stories, but shall not exceed a F.A.R. of 2.0 (typically **4** stories) and have a height restriction of 70 feet.
6. The project proponent must submit a development plan that clearly shows all aspect of the proposed development, including building locations; building heights and number of floors: building setbacks, parking and site landscaping. Additionally, the plans must indicate the type of use proposed for each building and the exterior elevations of the buildings.
7. The proposed FC-0 provides the applicant the flexibility to detail their own setbacks, lot coverage, and other site plan requirements subject to review and approval by staff and the Planning Commission.
8. The project must have some unique development or design feature that would not permit the project to comply with the normal development standards of the C-2 zone.
9. The project proponent must demonstrate that the requested changes to the design standards for the proposed project will not adversely affect surrounding properties.
10. The project must also reflect design and landscaping standards that will enhance the existing conditions in an effort to revitalized Cherokee Lane.
11. A specific Development Plan for the project must **be** approved by the Planning Commission.

Adoption Process

Adoption of the FC-0 will require a General Plan Amendment in order to create a new General Plan classification. The Freeway Commercial Overlay (FC-0) designation will permit the same uses as the current General Commercial (GC) classification with one major difference. The GC designation permits a maximum F.A.R. of 0.40. The proposed FC-0 designation will permit a F.A.R. of 2.0.

The Zoning Ordinance will also need to be amended to add the new designation of FC-0 with all related development standards included. The F.A.R. of 2.0 will permit building heights greater than the current two stories. Staffs current plan is to cap the height limit at 70 feet or four stories. Other development standards can be determined on a case by case basis similar to a Planned Development-PD zone.

Environmental Review Process

The adoption of the new General Plan and Zoning designations for the Freeway Commercial Overlay designation will require some type of environmental review. It is anticipated that a Negative Declaration will be the level of environmental review required. A Negative Declaration should be sufficient because the new zone will require that each project be reviewed on a case by case basis. Except for the modified setbacks and higher F.A.R., building height and maximum number of stories, there are no additional entitlements that will result from the new zone. The permitted uses will remain the same and the number of project sites that will be affected will be limited in number because of the one-acre minimum size requirement.

Time Line **for** Adoption

The adoption of a new zoning classification will require both a General Plan Amendment and a change in the Zoning Ordinance. Both will require public hearings before the Planning Commission and the City Council. The Zoning Amendment will need to be done by Ordinance and therefore requires a second reading and will not take effect until 30 days after the second reading. Prior to the hearing process, the Community Development Department and the City Attorney's office will need to work out the exact language of the new zoning classification and an environmental review process will need to be completed. Based on these requirements it is anticipated that the entire process could take a minimum of 90 days to complete.

Conclusion

The FC-0 will allow development of a limited number of unique **projects** that could not be built utilizing the normal development standards of the C-2 zone. By utilizing the added flexibility of the Freeway Commercial Overlay Zone, the City can allow the development of projects that can have a social **and/or** economic benefit for the City, and provide jobs or other opportunities for Lodi residents and provide for improvements to the Cherokee Lane corridor.

FISCAL IMPACT: The proposed zoning amendment is revenue neutral. Preparation of the draft amendment and the related environmental document will **be** done by City staff. If the amendment is adopted, an appropriate application fee will be charged to any property owner requesting the FC-0 designation.

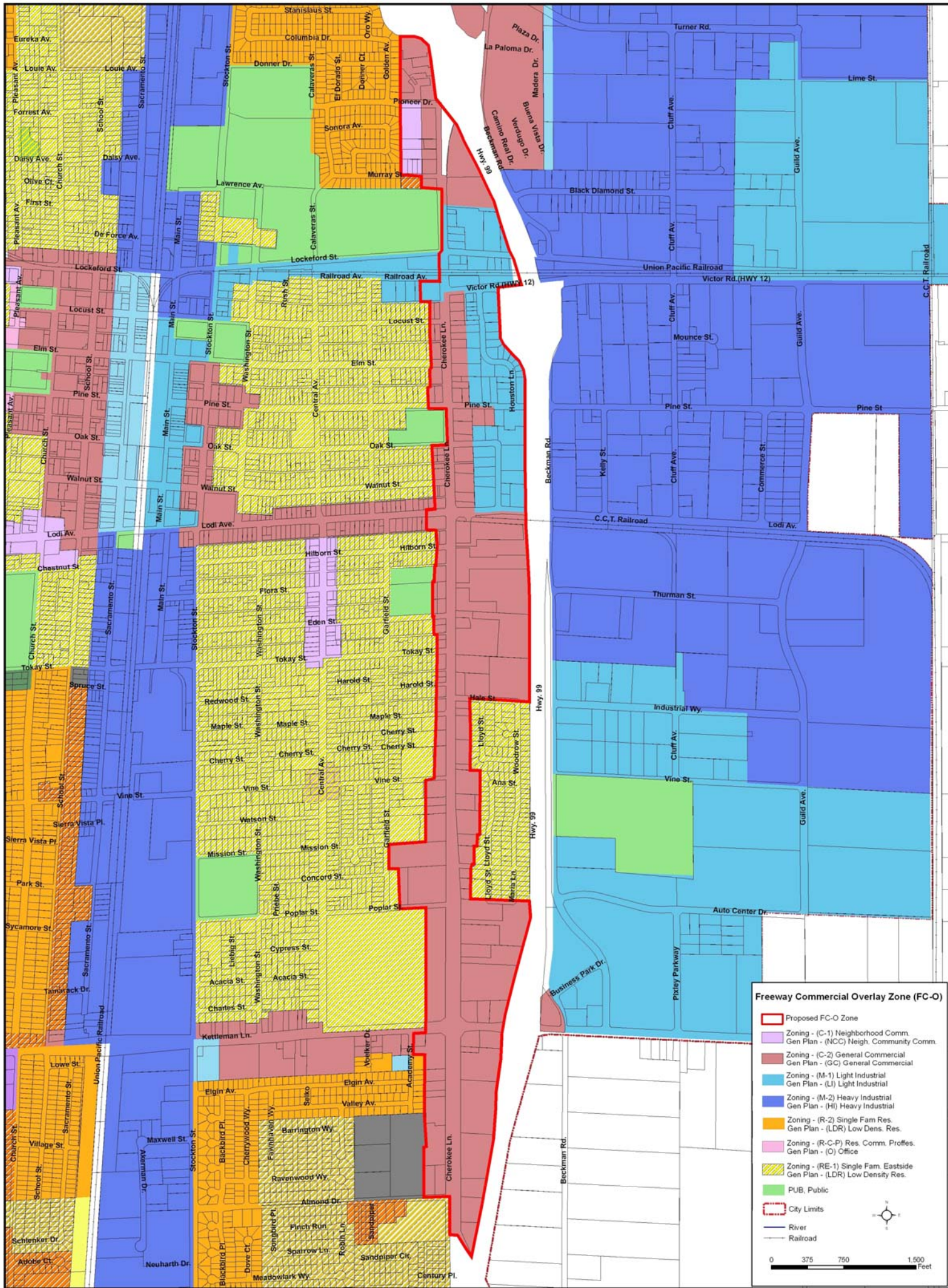
FUNDING AVAILABLE: N/A



Randy Hatch
Community Development Director

Attachments:

1. Project **area** map



Freeway Commercial Overlay Zone (FC-O)

- Proposed FC-O Zone
- Zoning - (C-1) Neighborhood Comm. Gen Plan - (NCC) Neigh. Community Comm.
- Zoning - (C-2) General Commercial Gen Plan - (GC) General Commercial
- Zoning - (M-1) Light Industrial Gen Plan - (LI) Light Industrial
- Zoning - (M-2) Heavy Industrial Gen Plan - (HI) Heavy Industrial
- Zoning - (R-2) Single Fam. Res. Gen Plan - (LDR) Low Dens. Res.
- Zoning - (R-C-P) Res. Comm. Profes. Gen Plan - (O) Office
- Zoning - (RE-1) Single Fam. Eastside Gen Plan - (LDR) Low Density Res.
- PUB, Public
- City Limits
- River
- Railroad

